

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kerslick *et al.*

Appl. No. 09/902,659

Filed: July 12, 2001

For: **X-Ray Catheter with Miniature
Emitter and Focusing Cup**

Art Unit: 3737

Examiner: To Be Assigned

Atty. Docket: P789 US
(1737.2110000/LEA/DTJ)

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Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application

does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☒ 1. This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
- ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ c. Attached is our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p).

- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
- ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 4. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☐ 5. A concise explanation of the relevance of the non-English language document(s) appears below:
- ☐ 6. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

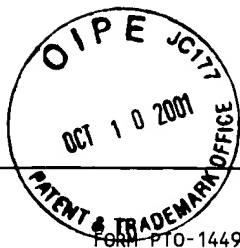
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Registration No. 47,684

Date: October 10, 2001

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INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. P789 US (1737.2110000/LEA/DTJ)	APPLICATION NO. 09/902,659
	APPLICANT Kerslick <i>et al.</i>	
	FILING DATE July 12, 2001	GROUP 3737

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	RE 30,082	08/21/1979	Atlee <i>et al.</i>			
	AB1	3,743,836	07/03/1973	Holland <i>et al.</i>			
	AC1	3,875,028	04/01/1975	Atlee <i>et al.</i>			
	AD1	3,962,583	06/08/1976	Holland <i>et al.</i>			
	AE1	3,979,632	09/07/1976	Gunning <i>et al.</i>			
	AF1	4,288,719	09/08/1981	Hernqvist			
	AG1	4,353,006	10/05/1982	Schade			
	AH1	4,685,118	08/04/1987	Furbee <i>et al.</i>			
	AI1	5,007,074	04/09/1991	Furbee <i>et al.</i>			
	AJ1	5,383,467	01/24/1995	Auer <i>et al.</i>			
	AK1	5,582,171	12/10/1996	Chornenky <i>et al.</i>			

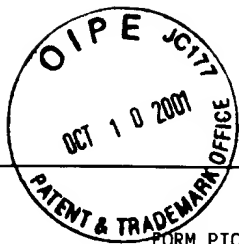
FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1						Yes No
	AM1						Yes No
	AN1						Yes No
	AO1						Yes No
	AP1						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR	1	Chornenky <i>et al.</i> , U.S. App. Serial No. 09/760,815, "Miniature X-Ray Device and Method of its Manufacture", Filed: January 17, 2001.
AS	1	Sudarshan <i>et al.</i> , "The Effect of Chromium Oxide Coatings on Surface Flashover of Alumina Spacers in Vacuum," IEEE Transactions on Electrical Insulation, Vol, EI-11. No.1, March 1976, pp. 32-35.
AT	1	Sudarshan <i>et al.</i> , "Prebreakdown Processes Associated with Surface Flashover of Solid Insulators in Vacuum," IEEE Transactions on Electrical Insulation, Vol, EI-12. No.3, June 1977, pp. 200-208.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



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FORM PTO-1449 <u>INFORMATION DISCLOSURE STATEMENT</u>	ATTY. DOCKET NO. P789 US (1737.2110000/LEA/DTJ)	APPLICATION 09/902,659
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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2	5,713,853	02/03/1998	Clark <i>et al.</i>			
	AB2	5,854,822	12/29/1998	Chornenky <i>et al.</i>			
	AC2	5,904,670	05/18/1999	Schreiner			
	AD2	5,925,016	07/20/1999	Chornenky <i>et al.</i>			
	AE2	6,069,938	05/30/2000	Chornenky <i>et al.</i>			
	AF2	6,095,966	08/01/2000	Chornenky <i>et al.</i>			
	AG2	6,108,402	08/22/2000	Chornenky			
	AH2	6,185,294	02/06/2001	Chornenky <i>et al.</i>			
	AI2	6,280,413	08/28/2001	Clark <i>et al.</i>			
	AJ2	6,289,079	09/11/2001	Chornenky <i>et al.</i>			
	AK2						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL2						Yes No
	AM2						Yes No
	AN2						Yes No
	AO2						Yes No
	AP2						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>2</u>	Whetten, N. Ray, "Methods of Experimental Physics" Vol. IV, Section 1.1.4, pp. 69-83 (Academic Press 1962).
	AS	<u>2</u>	
	AT	<u>2</u>	

EXAMINER	DATE CONSIDERED
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